

# NOTICES OF RULEMAKING DOCKET OPENING

The Administrative Procedure Act (APA) requires the publication of Notices of Rulemaking Docket Opening when an agency opens a rulemaking docket to consider rulemaking. Under the APA effective January 1, 1995, agencies must submit a Notice of Rulemaking Docket Opening before beginning the formal rulemaking process.

## NOTICE OF RULEMAKING DOCKET OPENING

### STATE BOARD OF DENTAL EXAMINERS

*Editor's Note: The following Notice of Rulemaking Docket Opening is exempt from Executive Order 2012-03 as issued by Governor Brewer. (See the text of the executive order on page 2852.)*

[R14-165]

- 1. Title and its heading:** 4, Professions and Occupations  
**Chapter and its heading:** 11, State Board of Dental Examiners  
**Articles and their headings:** 4, Fees  
**Section numbers:** R4-11-401, R4-11-402, R4-11-403, R4-11-404, R4-11-405, R4-11-406  
*(As part of this rulemaking, the Board may add, delete, or modify additional Sections as necessary.)*

**2. Subject matter of the proposed rule**

House Bill 2744 enacted August 2, 2012, amended A.R.S. 41-1008 to require an agency to establish or increase a fee within rules.

Per Statute, the Board is required to establish the license and renewal fee for Dentists, Dental Consultants, Dental Hygienists and Denturists at least every three years in a public meeting. To be able to collect the fee, the Board needs to establish the fees in rule. The license fees will be placed in New Section R4-11-403 License and Renewal Fees.

Other fees which need to be established in rule are:

- A Business Entity Late fee - statutory authority A.R.S. 32-1213(D),
- A Jurisprudence exam fee for dentists - statutory authority A.R.S. 32-1232(B),
- A Jurisprudence exam fee for dental hygienists - statutory authority ARS 32-1984(A),
- A Credential fee for dentists - statutory authority A.R.S. 32-1240(B),
- A Credential fee for dental hygienists - statutory authority A.R.S. 32-1292.01(B),
- A Reinstate penalty fee for dentists - statutory authority A.R.S. 32-1236(D),
- A Reinstate penalty fee for dental hygienists - statutory authority A.R.S. 32-12387(D),
- A Reinstate penalty fee for denturists - statutory authority A.R.S. 32-1297.06(D),

Mobile Dental Facility and Portable Dental Unit:

- Permit/registration Fee statutory authority A.R.S. 32-1299.23(A),
- Late fee statutory authority A.R.S. 32-1299.23(A), and

Address/Contact Penalty statutory authority A.R.S. 32-1299.23(B) will be placed in New Section R4-11-404 Mobile Dental Facility and Portable Dental Unit Fees.

The rule will include format, style, and grammar necessary to comply with the current rules of the Secretary of State and the Governor's Regulatory Review Council.

**The agency docket number, if applicable:**

R1402

**3. A Citation to all published notices relating to the proceeding:**

None

**4. Name and address of agency personnel with whom persons may communicate regarding the rule:**

Name: Elaine Hugunin, Executive Director  
Address: State Board of Dental Examiners  
4205 N. 7th Ave., Suite 300  
Phoenix, AZ 85013  
Telephone: (602) 542-4493

*Arizona Administrative Register / Secretary of State*  
**Notices of Rulemaking Docket Opening**

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Fax: (602) 242-1445  
E-mail: elaine.huginin@azdentalboard.us  
Website: www.dentalboard.az.gov

**5. The time during which the agency will accept written comments and the time and place where oral comments may be made:**

The Board will accept written comments Monday through Friday, 8:00 a.m. to 5:00 p.m. Oral comments may be made at the Board office Monday through Friday, 8:00 a.m. to 4:30 p.m.

Location: State Board of Dental Examiners  
4205 N. 7th Ave., Suite 300  
Phoenix, AZ 85013

Written and oral comments will be accepted until the close of record on a date and time as yet undetermined.

**6. A timetable for agency decisions or other action in the proceeding:**

None

**NOTICE OF RULEMAKING DOCKET OPENING**  
**DEPARTMENT OF ECONOMIC SECURITY**

*Editor's Note: The following Notices of Rulemaking Docket Opening were reviewed per Executive Order 2012-03 as issued by Governor Brewer. (See the text of the executive order on page 2852.) The Governor's Office authorized the notices to go through rulemaking process on August 12, 2014.*

[R14-167]

**1. Title and its heading:**

6, Economic Security

**Chapter and its heading:**

1, Department of Economic Security

**Article and its heading:**

1, Public Participation in Rulemaking

2, Debt Setoff

**Section numbers:**

R6-1-101 through R6-1-107, R6-1-201, R6-1-202 (*Sections may be added, deleted, or modified as necessary.*)

**2. The subject matter of the proposed rule:**

This rulemaking is in response to a Five-Year-Review Report approved by the Governor's Regulatory Review Council on February 4, 2014.

**3. A citation to all published notices relating to the proceeding:**

None

**4. The name and address of agency personnel with whom persons may communicate regarding the rule:**

Name: Rameshwar Adhikari

Address: Department of Economic Security  
P.O. Box 6123, Site Code 837A  
Phoenix, AZ 85005

or

Department of Economic Security  
1789 W. Jefferson St., Site Code 837A  
Phoenix, AZ 85007

Telephone: (602) 542-9199

Fax: (602) 542-6000

E-mail: radhikari@azdes.gov

**5. The time during which the agency will accept written comments and the time and place where oral comments may be made:**

The Department will accept public comments for at least 30 days following the publication of the Notice of Proposed Rulemaking in the *Arizona Administrative Register*. Written comments may be submitted to the individual named in item 4. The Department has not scheduled any oral proceedings at this time.

**6. A timetable for agency decisions or action on the proceeding, if known:**

None

**NOTICE OF RULEMAKING DOCKET OPENING**

**DEPARTMENT OF ECONOMIC SECURITY  
EMPLOYMENT AND TRAINING**

[R14-169]

- 1. Title and its heading:** 6, Economic Security  
**Chapter and its heading:** 2, Department of Economic Security - Employment and Training  
**Article and its heading:** 1, General Provisions; 2, Employment Services Provided by the Department  
**Section numbers:** R6-2-101 through R6-2-104, R6-2-201 (*Sections may be added, deleted, or modified as necessary.*)
- 2. The subject matter of the proposed rule:**  
This rulemaking is in response to a Five-Year-Review Report approved by the Governor's Regulatory Review Council on September 9, 2014.
- 3. A citation to all published notices relating to the proceeding:**  
None
- 4. Name and address of agency personnel with whom persons may communicate regarding the rule:**  
Name: Rodney K. Huenemann  
Address: Department of Economic Security  
P.O. Box 6123, Site Code 837A  
Phoenix, AZ 85005  
or  
Department of Economic Security  
1789 W. Jefferson St., Site Code 837A  
Phoenix, AZ 85007  
Telephone: (602) 542-6159  
Fax: (602) 542-6000  
E-mail: rhuenemann@azdes.gov
- 5. The time during which the agency will accept written comments and the time and place where oral comments may be made:**  
The Department will accept public comments for at least 30 days following the publication of the Notice of Proposed Rulemaking in the *Arizona Administrative Register*. Written comments may be submitted to the individual named in item 4. The Department has not scheduled any oral proceedings at this time.
- 6. A timetable for agency decisions or action on the proceeding, if known:**  
None

**NOTICE OF RULEMAKING DOCKET OPENING**

**DEPARTMENT OF ECONOMIC SECURITY  
REHABILITATION SERVICES**

[R14-168]

- 1. Title and its heading:** 6, Economic Security  
**Chapter and its heading:** 4, Department of Economic Security - Rehabilitation Services  
**Article and its heading:** 1, State Agency Administration  
2, Provision of Services to Individuals  
3, Business Enterprise Program  
4, Other Rules and Provisions that Relate to Providing Services to Individuals  
5, Business Enterprise Program (*New Article - Sections to be determined*)  
6, Independent Living Blind Program (*New Article - Sections to be determined*)  
7, Client Appeal Process (*New Article - Sections to be determined*)  
**Section numbers:** R6-4-104, R6-4-201 through R6-4-206, R6-4-301 through R6-4-325, R6-4-401 through R6-4-405 (*Sections may be added, deleted or modified as necessary.*)
- 2. The subject matter of the proposed rule:**

Notices of Rulemaking Docket Opening

This rulemaking is in response to a Five-Year-Review Report, approved by the Governor's Regulatory Review Council on September 10, 2013. These rules explain procedures that are currently in place, replace outdated provisions and add rules for programs that currently have no rules.

**3. A citation to all published notices relating to the proceeding:**

None

**4. The name and address of agency personnel with whom persons may communicate regarding the rule:**

Name: Rodney K. Huenemann  
Address: Department of Economic Security  
P.O. Box 6123, Site Code 837A  
Phoenix, AZ 85005  
or  
Department of Economic Security  
1789 W. Jefferson St., Site Code 837A  
Phoenix, AZ 85007  
Telephone: (602) 542-6159  
Fax: (602) 542-6000

**5. The time during which the agency will accept written comments and the time and place where oral comments may be made:**

The Department will accept public comments for at least 30 days following the publication of the Notice of Proposed Rulemaking in the *Arizona Administrative Register*. Written comments may be submitted to the individual named in item 4. The Department has not scheduled any oral proceedings at this time.

**6. A timetable for agency decisions or other action on the proceeding, if known:**

None

**NOTICE OF RULEMAKING DOCKET OPENING**

**DEPARTMENT OF ECONOMIC SECURITY  
SOCIAL SERVICES**

[R14-170]

**1. Title and its heading:**

6, Economic Security

**Chapter and its heading:**

5, Department of Economic Security - Social Services

**Article and its heading:**

49, Child Care Assistance

**Section numbers:**

R6-5-4905, R6-5-4919 (*Sections may be added, deleted, or modified as necessary.*)

**2. The subject matter of the proposed rule:**

The Department is implementing the name change from the Division of Child Support Enforcement to the Division of Child Support Services. This has necessitated changing the reference to the Division's name throughout Department rules. This name change better reflects and captures the overarching work that the Division does. This rulemaking will avoid confusion and ensure consistency.

**3. A citation to all published notices relating to the proceeding:**

None

**4. The name and address of agency personnel with whom persons may communicate regarding the rule:**

Name: Rameshwar Adhikari  
Address: Department of Economic Security  
P.O. Box 6123, Site Code 837A  
Phoenix, AZ 85005  
or  
Department of Economic Security  
1789 W. Jefferson St., Site Code 837A  
Phoenix, AZ 85007  
Telephone: (602) 542-9199  
Fax: (602) 542-6000  
E-mail: radhikari@azdes.gov

**5. The time during which the agency will accept written comments and the time and place where oral comments may be made:**

Notices of Rulemaking Docket Opening

The Department will accept public comments for at least 30 days following the publication of the Notice of Proposed Rulemaking in the *Arizona Administrative Register*. Written comments may be submitted to the individual named in item 4. The Department has not scheduled any oral proceedings at this time.

**6. A timetable for agency decisions or action on the proceeding, if known:**

None

**NOTICE OF RULEMAKING DOCKET OPENING**

**DEPARTMENT OF ECONOMIC SECURITY  
DEVELOPMENTAL DISABILITIES**

[R14-171]

**1. Title and its heading:**

6, Economic Security

**Chapter and its heading:**

6, Department of Economic Security - Developmental Disabilities

**Article and its heading:**

3, Eligibility for Developmental Disabilities Services

4, Application

5, Admission/Redetermination/ Termination

6, Program Services

13, Coordination of Benefits; Third-Party Payments

14, Guardianship and Conservatorship

16, Abuse and Neglect

18, Administrative Review

**Section Numbers:**

R6-6-301 through R6-6-303, R6-6-401 through R6-6-405, R6-6-501 through R6-6-505, R6-6-601 through R6-6-606, R6-6-1301 through R6-6-1305, R6-6-1401, R6-6-1601 through R6-6-1603, R6-6-1801 through R6-6-1805 (*Sections may be added, deleted, or modified as necessary.*)

**2. The subject matter of the proposed rule:**

This rulemaking is in response to a Five-Year-Review Report approved by the Governor's Regulatory Review Council on December 7, 2010.

**3. A citation to all published notices relating to the proceeding:**

None

**4. The name and address of agency personnel with whom persons may communicate regarding the rule:**

Name: Rameshwar Adhikari

Address: Department of Economic Security  
P.O. Box 6123, Site Code 837A  
Phoenix, AZ 85005

or

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1789 W. Jefferson St., Site Code 837A  
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Telephone: (602) 542-9199

Fax: (602) 542-6000

E-mail: radhikari@azdes.gov

**5. The time during which the agency will accept written comments and the time and place where oral comments may be made:**

The Department will accept public comments for at least 30 days following the publication of the Notice of Proposed Rulemaking in the *Arizona Administrative Register*. Written comments may be submitted to the individual named in item 4. The Department has not scheduled any oral proceedings at this time.

**6. A timetable for agency decisions or action on the proceeding, if known:**

None

**NOTICE OF RULEMAKING DOCKET OPENING**

**DEPARTMENT OF ECONOMIC SECURITY  
CHILD SUPPORT ENFORCEMENT**

[R14-172]

**1. Title and its heading:**

6, Economic Security

**Chapter and its heading:**

7, Department of Economic Security - Child Support Enforcement

Notices of Rulemaking Docket Opening

**Article and its heading:**

1, General Provisions

**Section numbers:**

R6-7-101 (*Sections may be added, deleted, or modified as necessary.*)

**2. The subject matter of the proposed rule:**

The Department is implementing the name change from the Division of Child Support Enforcement to the Division of Child Support Services. This has necessitated changing the reference to the Division's name throughout Department rules. This name change better reflects and captures the overarching work that the Division does. This rulemaking will avoid confusion and ensure consistency.

**3. A citation to all published notices relating to the proceeding:**

None

**4. The name and address of agency personnel with whom persons may communicate regarding the rule:**

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**5. The time during which the agency will accept written comments and the time and place where oral comments may be made:**

The Department will accept public comments for at least 30 days following the publication of the Notice of Proposed Rulemaking in the *Arizona Administrative Register*. Written comments may be submitted to the individual named in item 4. The Department has not scheduled any oral proceedings at this time.

**6. A timetable for agency decisions or action on the proceeding, if known:**

None

**NOTICE OF RULEMAKING DOCKET OPENING**

**DEPARTMENT OF ECONOMIC SECURITY  
JOB TRAINING PARTNERSHIP ACT (JTPA)**

[R14-173]

**1. Title and its heading:**

6, Economic Security

**Chapter and its heading:**

11, Department of Economic Security - Job Training Partnership Act (JTPA)

**Article and its heading:**

1, General Provisions  
2, JTPA Appeal Process  
3, WIA State Level Appeal Process (*New Article - Sections to be determined*)

**Section numbers:**

R6-11-101 through R6-11-104, R6-11-107, R6-11-111, R6-11-201 through R6-11-208 (*Sections may be added, deleted, or modified as necessary.*)

**2. The subject matter of the proposed rule:**

This rulemaking is in response to a Five-Year-Review Report approved by the Governor's Regulatory Review Council on February 4, 2014.

**3. A citation to all published notices relating to the proceeding:**

None

**4. Name and address of agency personnel with whom persons may communicate regarding the rule:**

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Phoenix, AZ 85005  
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**5. The time during which the agency will accept written comments and the time and place where oral comments may be made:**

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**6. A timetable for agency decisions or action on the proceeding, if known:**

None

**NOTICE OF RULEMAKING DOCKET OPENING**

**DEPARTMENT OF ECONOMIC SECURITY  
CASH ASSISTANCE PROGRAM**

[R14-174]

**1. Title and its heading:**

6, Economic Security

**Chapter and its heading:**

12, Department of Economic Security - Cash Assistance Program

**Article and its heading:**

2, Application Process and Procedures

3, Non-Financial Eligibility

Criteria

**Section numbers:**

R6-12-203, R6-12-302, R6-12-311, R6-12-312 (*Sections may be added, deleted, or modified as necessary.*)

**2. The subject matter of the proposed rule:**

The Department is implementing the name change from the Division of Child Support Enforcement to the Division of Child Support Services. This has necessitated changing the reference to the Division's name throughout Department rules. This name change better reflects and captures the overarching work that the Division does. This rulemaking will avoid confusion and ensure consistency.

**3. A citation to all published notices relating to the proceeding:**

None

**4. The name and address of agency personnel with whom persons may communicate regarding the rule:**

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Address: Department of Economic Security  
P.O. Box 6123, Site Code 837A  
Phoenix, AZ 85005  
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1789 W. Jefferson St., Site Code 837A  
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Telephone: (602) 542-9199  
Fax: (602) 542-6000  
E-mail: radhikari@azdes.gov

**5. The time during which the agency will accept written comments and the time and place where oral comments may be made:**

The Department will accept public comments for at least 30 days following the publication of the Notice of Proposed Rulemaking in the *Arizona Administrative Register*. Written comments may be submitted to the individual named in item 4. The Department has not scheduled any oral proceedings at this time.

**6. A timetable for agency decisions or action on the proceeding, if known:**

None